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Mon, Sep 16, 2024 at 12:13 PM



US FEDERAL DISTRICT COURT
MIDDLE DISTRICT NORTH CAROLINA

24 cv 831

Verified Complaint for Declaratory Summary Order quieting Title

EMMETT CALDWELL plaintiff

vs

John Doe (fictitious representing any person
or entity that claimed prior and may claim a interest right title estate, l
ien on or to the 6 parcels subject of this action
Real Estate ID #02-020-0029.00;# 12-007-0040.00,
12-037-0186.19#04-023-0138.00,# 04-037-0057.00
Parcel PIN # 56207316510000
defendants

Jurisdiction Diversity amount over \$75,000

THE FOLLOWING AFFIDAVIT IS VERIFIED TRUE UNDER OATH AND LAWS
AND PENALTY OF PERJURY

1) PLAINTIFF RESIDES IN PUERTO RICO AND IS INDIGENT RECIVEING FOOD STAMPS
AND WAS GRANTED PUBLIC HOUSEING FOR INDIGENTS CANNOT SELL HIS PARCELS
DUE TO DEEDS TO HIS ANCESTORS IN TITLE LOST BEFORE RECORDING

1B) PLAINTIFFs STEP FATHER EMMETT A CALDWELL PURCHASED THE 6 PARCELS OVER 30 YEARS AGO AND
HIS ESTATE DEEDED 5 PARCELS THE DEED TO THE 6 PARCEL WAS LOST FAMILY HAVE BEEN
SOLE OWNERS OVER 30 YEARS OF THE PARCELS SUBJECTS OF THIS ACTION PLAINTIFF THE SOLE OWNER
WAS 2003 DEEDED THE 6 PARCELS LISTED IN PARAGRAPH 1C RESTATED GERE BY REFERENCE
THE SUBJECTS OF THIS ACTION OWNED BY ANCESTOR IN TITLE THE PRIOR OWNER

1C THE PARCELS SUBJECTS OF THIS ACTION ARE LISTED BELOW AND FURTHER DESCRIBED BY CABARRUS
COUNTY OFFICAL RECORDS AND IN THE REGISTER OF DEEDS TO WHICH RECORDS REFERENCE
IS MADE RESTATED INCORPERATED HERE BY REFERENCE OF THE FOLLOWING PARCELS

PARCEL	DEED BOOK	PAGE	PIN #
1 FOREST ST	4616	277	56212413200000
2 MALVERN ST	4616	279	56207355440000
3 EDEN ST/MISSOURI	4616	280	56202428820000
4 BASIN ST	4616	281	56139937160000
5 WOOD ST	4829	266	56139734000000
6 MELROSE (aka Willow st)	56207316510000		

ALL HEREIN BY REFERENCE RESTATED BY THE WORDS THE PARCELS

2) DUE TO DEEDS LOST BEFORE RECORDATION UNTIL 2003 DEEDS TO PLAINTIFF OF PARCELS 1-5 A BUYER
STATED A QUIET TITLE ORDER WAS REQUIRED BEFORE PLAINTIFF COULD SELL THE PARCELS
AND CANCELLED PURCHASE DUE TO CLOUD ON CHAIN OF TITLE THE PARCELS CANNOT BE SOLD AT AFAIR
PRICE AND HAVE NO VALUE UNTIL A QUIET TITLE ORDER IS FILED

2b) AFTER QUIET TITLE ORDER BUYER REQUIRES PLAINTIFF CAN SELL THE VACENT LAND AND PAY COURT COSTS

3) PLAINTIFF TRIED TO SELL THE PARCELS HOWEVER WAS ADVISED A QUIET TITLE ACTION MUST BE FILED BEFORE PARCELS HAVE ANY VALUE

3a) BUYER CANCELLED APPROX \$185,000 SALE OF THE PARCELS UNTIL A QUIET TITLE ORDER IS FILED DUE TO CHAIN OF TITLE ADVERSE CLAIMS

3b) THE MARKETABILITY AND VALUE OF PLAINTIFFS PROPERTY IS 0 UNTIL A ORDER QUIETING AND ALIENATEING TITLE TO PLAINTIFFS PROPERTYS THE PARCELS SUBJECTS OF THIS ACTION

4) PLAINTIFF IS SOLE OWNER OF THE 6 PARCELS DESCRIBED IN EXHIBIT A RESTATED HERE BY REFERENCE HOWEVER SUFFERS FINANCIAL HARDSHIP DUE TO AFOREMENTIONED AND PAINFUL DISABILITY

5) NO DEFENDANT HAS ANY LEGAL ADVERSE CLAIM OF OWNERSHIP OF THE SIX PARCELS SUBJECT OF THIS ACTION NOR JOHN DOE WHICH IS FICTICIOUS AND REPRESENTS UNKNOWN PERSONS OR ENTITYS WITH ANY ADVERSE CLAIM INTREST RIGHT ESTATE LIEN TO THE SIX PARCELS SUBJECT OF THIS ACTION

6) THE SIX PARCELS SUBJECT OF THIS ACTION ARE DESCRIBED IN EXHIBIT A RESTATED INCORPERATED HERE BY REFERENCE

CAUSE OF ACTION

7) JOHN DOE IS FICTICIOUS AND REPRESENTS ALL DEFENDANTS UNKNOWN UNLOCATABLE, DEFENDANTS PERSONS OR ENTITYS THAT CLAIMED PRIOR AND MAY CLAIM A INTREST RIGHT TITLE ESTATE LIEN ON THE PARCELS SUBJECT OF THIS ACTION *AND SEIERS WHO REFUSED TO RECORD DEEDS IN VIOLATION OF KIRK ACT + TIE 42 US CODE 1983*

7b) THERE IS A CLOUD OVER THE PARCELS SUBJECTS OF THIS ACTION DUE TO PLAINTIFFS OWNERSHIP THRU 2003 ESTATE DEEDS AND RECENTLY FILED DEED

8) JOHN DOE DOES NOT HAVE ANY LEGAL CLAIM INTREST RIGHT TITLE OR ESTATE OF OWNERSHIP ECTERA TO THE 6 PARCELS STATED IN PARAGRAPH SUBJECTS OF THIS ACTION ,NOR THEIR SUCESSORS *AND ARE PRIOR OWNERS WHO IN BACEM FAILED TO RECORD DEEDS OWED DUTY BREACH OF CONTRACTS*

9) CLAIM FOR RELIEF A ORDER QUIETING TITLE TO PLAINTIFF THE SOLE OWNER OF THE SIX PARCELS SUBJECT OFTHIS ACTION AND EXTINGUISHING ALL DEDENDANTS AND JOHN DOE AND SUCESSORS CLAIMS OF OWNERSHIP

WHEREFORE

PLAINTIFF REQUESTS A DECLATORY SUMMARY ORDER BE FILED QUIETING TITLE TO THE PARCELS SIX VACENT LOTS TO PLAINTIFF SOLE OWNER ALSO A ORDER EXTINGUISHING ALL DEFENDANTS AND THEIR SUCESSORS CLAIMS INTRESTS RIGHTS ESTATES LIENS TO THE SIX PARCELS SUBJECT TO THIS ACTION.

DATED 9/14/24



AFFIANT Emmett W Caldwell

Accidenta

Don I <biz2dev7777@gmail.com>
To: Don I <biz2dev7777@gmail.com>

Mon, Sep 16, 2024 at 12:57 PM

COURT OF PRIMARY INSTANCE SAN JUAN

COMPLAINT
SUMMARY DECLATORY

EMMETT CALDWELL pltf

vs

METROPOLITAN BUS AUTHORITY ; MUNICIPALITY OF SAN JUAN ; JOHN DOE 1 (UNIDENTIFIED OWNER OF LISCENCE PLATE #

DIONISO ROMERO PIZARRO OR JOHN DOE 2 DRIVER THAT CAUSED ACCIDENT) JANE DOE OWNER OF CAR THAT CAUSE PLAINTIFFS INJURYS

JOHN DOE 3 UNIDENTIFIED INSURANCE COMPANY OF CAR ; JAMES OMALLEY
defs

1ST CAUSE OF ACTION

1) A RED CAR DRIVEN BY UNLISCENCED BOY MADE A TURN ONTO FERNANDAN JUNCOS APPROX 17:40 ON MAYOL IN FRONT OF THE MINIBUS HITTING EXACT SPOT PLAINTIFF LEANING AGAINST CAUSEING SEVER PERMANENT INJURYS

1B) POLICE REPORT # 2024-1-566-004990 OF 5/2/24 STATES AGENT CARLOS RIVERA FELICIANO # 36393 (SARGENT JOSE GUZMAN SANTANA) STATED CAR"" ENCOUNTERED A RED LIGHT BUT WENT THRU IT AND IMPACTED THE LATERAL SIDE OF VEHICLE #2

1C PAGE 7 OF POLICE REPORT STATES: ...PADRE ENCARGADO O TUTOR DE MENOR (DRIVER NAME) DIONISO ROMERO PIZARRO" LISCENCE # 592636

1D) PLAINTIFF SUFFERED SEVER PERMENANT INJURYS TO R HIP BACK SHOULDER AND L ANKLE AND RIGHT ANKLE HEAD AS A DIRECT PROXIMATE RESULT OF THE COLLISION BY DRIVER DIONISO ROMERO PIZARRO BELOVED PERMANENT EXTREEM SEVER DISABLING PAIN

1ST CAUSE OF ACTION JOHN DOE 2

1E PARAGRAPH RESTATED INCORPERATED HEREIN BY REFERENCE

1F PARAGRAPH RESTED INCORPERATED HERE BY REFERENCE

1G JOHN DOE 2 IS WHITE 19-20 year MALE. DRIVER OF RED CAR THAT HIT PLAINTIFF AS PLAINTIFF SAT INSIDE MINIBUS THAT JOHN DOES CAR HIT APPROX 545 PM 5/2/24 PLAINTIFF SUFFERED SEVER DISABLING INJURYS DIRECT PROXIMATELY DUE TO MINIBUS BEING HIT DIRECTLY WHERE PLAINTIFF SAT (AT INTERSECTION OF FERNANDEZ JUNCOS AND MAGOL IN SANTRUCE) BY A RED CAR (EXHIBIT) PLATE MARBET #. 05664888 VIN # JKPA25AB3JE040805 KIA QUINTO DRIVEN BY 17 YEAR OLD MALE JOHN DOE

1H DRIVER JOHN DOE ADMITTED HE WAS "...LOOKING THE OTHER WAY AND I DID NOT SEE MINIBUS " THEN CRASHED HIS CAR INTO BUS DIRECTLY IN FRONT OF RIGHT SIDE OF BUS HITTING PLAINTIFF WHO WAS LEANING AGAINST MINI BUS SIDE BELOW WINDOW DIRECT PROXIMATE CAUSE OF SEVER. PAINS TO RIGHT HIP SHOULDER NECK BACK KNEE WRIST BELIVED PERMENANT

1I PLAINTIFF CANT AFFORD THE MEDICAL CARE AND THERAPY EXPENSES NEEDED UNLESS IMMEDIATE PAYMENT FOR PERMENANT INJURY SUFFERED

1J CLAIM FOR RELIEF JOHN DOE 2 PAY PLAINTIFF \$500,000.00 AND APPROPRIATE RELIEFS AND LEGAL FEES

1K - MUNICIPALITY FAILED DUTY TO PLACE A STOP SIGN OR TRAFFIC LIGHT AT ACCIDENT ACCIDENT SITE INTERSECTION MAGEL & FERNANDEZ JUNCOS SANTRUCE

1L POLICE ACCIDENT REPORT # 2024-566-004996 BY AGENTE CARLOS RIVERIA# 36393

1M DEFENDANTS BUS DRIVERS HAVE A PATTERN AND HISTORY OF FAST RECKLESS DRIVING AT INTERSECTIONS DURING RUSH HOURS 5-6PM PREVENTING CARS TURNING BY RAM RODDING THEIR BUSES IN FRONT OF & PAST & AGAINST TURNING CARS PARTLY IN INTERSECTION TURNING AS OCCUREED IN THIS CASE THAT RESPONDANT SUPERIOR FAILS DUTY TO PROPERLY TRAIN AND SUPERVISE AGAINST FORSEEABLE INJURY AND ACCIDENT PLAINTIFF SUFFERED

1N DEFENDANT SAN JUAN MUNICIPALITY AND AMA FAIL DUTY OWED PASSENGERS TO INSTALL Turning Car ALARM/WARNING DESPITE FORSEEABLE NEED DUE TO DAILY NEAR CRASHES INTO CARS TURNING INTO BUS PATH SEVERAL TIMES PER TRIP NEAR ACCIDENTS AND PASSENGER INJURY

1O IMPACT OF ACCIDENT CRASH WAS SO FORCEFUL IT DISLOGED A PHONE HIDDEN SQUEEZED IN BETWEEN SEATS PLAINTIFF TURNED IN TO BUS DRIVER

1P MUNICIPALITY OF SAN JUAN IS LIBAL AS RESPONDANT SUPERIOR OF BUS DRIVER JOHN DOE WHO FAILED TO AVOID ACCIDENT AND WAS DRIVING AGGRESSIVELY CONTRIBUTED 1/3 TO PLAINTIFFS INJURY BUS DRIVER FAILED DUTY TO AVOID FORSEEABLE ACCIDENT AS BUS DRIVER PRIOR TO IMPACT SAW AND KNEW DRIVER WAS LOOKING THE OTHER WAY AND CAR WAS PART IN INTERSECTION TURNING AS IMPACT DAMAGE TO CAR ATTEMPTING LEFT TURN WAS ON FRONT RIGHT SIDE

1Q MUNICIPALITY OF SAN JUAN IS RESPONDANT SUPERIOR AND LIBAL FOR PLAINTIFFS INJURY DUE TO FAILURE TO PROPERLY TRAIN BUS DRIVER JOHN DOE 3 AND REQUEST STOP SIGNS AND LIGHTS AT INTERSECTION AND RECKLESS ACTS OF BUS DRIVER

1R 5/2/24 545PM PLAINTIFF WAS RIDING ON SAN JUAN #35 BUS IMMEDIATELY NEXT TO WINDOW THAT WAS HIT BY A RED CAR DRIVEN BY 17 YEAR OLD WHO STATED HE WAS LOOKING THE OTHER WAY WHEN HE ACCELERATED AND HIT #35 BUS IMMEDIATELY IN FRONT OF PLAINTIFF

2 #35 BUS IS OWNED BY METROPOLITAN BUS AUTHORITY

3 MUNICIPALITY OF SAN JUAN FAILED DUTY OWED TO POST STOP SIGN AT STREET CORNER OF ACCIDENT DIRECT PROXIMATE CAUSE OF ACCIDENT STATED IN PARAGRAPH 1 AND PLAINTIFFS INJURY STATED HEREIN RESTATED INCORPORATED BY REFERENCE

4 ACCIDENT OCCURED APPROX 545PM 5/2/24 AT FERNAND JUNCOS AND MAYRD ROADS

5 DIRECT AND PROXIMATELY DUE TO SAID DEFENDANTS GROSS NEGLIGENT RECKLESS ACTS COMPLAINED IN PARG 1 RESTATED HERE BY REFERENCE THAT INJURED PLAINTIFF HE WAS TREATED FOR HIS INJURY AT DRS HOSPITAL BY DR EDWIN MORALES WHO PRESCRIBED TORADOL AND BACLOFIN DUE TO PLAINTIFFS SEVER INJURY TO R SHOULDER RIGHT HIP AND NECK CERVICAL SPRAIN AND STRAIGHTING OF NECK NORMAL LORDOTIC CURVATURE (EXHIBIT)

5B DR HOSPITAL EMERGENCY ROOM RECORDS STATED 5/2/24 PLAINTIFF WAS TREATED IN DUE TO INJURY SUSTAINED CERVICAL SPRAIN ACUTE SPRAIN OF LIGAMENT OF CERVICAL SPINE PAIN IN RIGHT HIP MUSCLE SPASMS BURSITIS OF RIGHT SHOULDER (EXHIBIT)

5C ALL DEFENDANTS ARE JOINT AND SEVERABLY LIBAL

CAUSE OF ACTION

6A PARAGRAPH RESTATED INCORPERATED HERE BY REFERENCE

6B PARAGRAPH RESTATED INCORPERATED HEREIN BY REFERENCE

6 MUNICIPALITY OF SAN JUAN WAS GROSS NEGLIGENT IGNOREING FORSEEABLE ACCIDENT AND PLAINTIFFS SEVERE INJURYS AND PAINS AND SUFFERING AND DISABILITY DIRECT PROXIMATELY CAUSED BY FAILURE TO HAVE STOP SIGN OR RED LIGHT THAT WOULD HAVE PREVENTED ACCIDENT STATED IN PARAGRAPH 1 RESTATED HERE BY REFERENCE

7 AS A DIRECT PROXIMATE CAUSE OF DEFENDANTS GROSS AND RECKLESS ACTS AFORESTATED PLAINTIFF SUFFERED PERMENANT DISABELING INJURYS TO HIS NECK RIGHT HIP BACK RIGHT SHOULDER AND RIGHT HAND RIGHT KNEE ONGOING

8 MUNICIPALITY OF SAN JUAN REFUSES TO PLACE STOP SIGNS DECIETFULLY TO SPEND THE MONEY ELSEWHERE KNOWING FAILURE WILL LIKELY FORSEEABLE CAUSE INJURYS AND DEATH AND ACCIDENTS AS PLAINTIFF SUFFERED

CAUSE OF ACTION

9) INSURANCE COMPANY WAS GROSS NEGLIGENT ALLOWING JOHN DOE TTO DRIVE WITHOUT VERIFYING HE KNEW TO LOOK IN THE DIRECTION OF ONCOMING TRAFFIC TO HIS LEFT BEFORE TURNING RIGHT IN FRONT OF ONCOMING TRAFFIC TO HIS LEFT

10 CLAIM FOR RELIEF \$500,000.00

CAUSE OF ACTION

11) UNKNOWN OWNER OF THE RED CAR THAT HIT PLAINTIFF WAS GROSS NEGLIGENT BY FAILING TO VERIFY DRIVER THAT HIT AINTIFF KNEW TO LOOK IN DIRECTION OF ONCOMING TRAFFIC BEFORE MAKING A TURN IN FRONT OF ONCOMING TRAFFIC DIRECT PROXIMATE CAUSE OF PLAINTIFFS SEVER DISABLING INJURYS TO BACK NECK RIGHT HIP RIGHT ANKLE

12) CLAIM FOR RELIEF \$500,000.00

CAUSE OF ACTION

13 JAMES OMALLEY OWNED THE FORD F550 INVOLLVED IN THE ACCIDENT MARBET # 036692517 VIN 1FDGF5GT3CEC73608 INVILVED IN THE ACCIDENT AND IS LIABL FOR INJURYS PLAINITFF SUFFERED AS STATED IN PARG RESTATED HERE BY REFRENC

14 PARAGRAPH RESTATED INCORPERATED HERE BY REFERENCE

15 PARAGRAPH RESTATED INCORPERATED HERE BY REFERENCE

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